

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RODNEY C. MOORE,

Petitioner,

ORDER

v.

09-cv-0725-slc

GREGORY GRAMS, Warden,
Columbia Correctional Institution,

Respondent.

Rodney Moore has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to Rule 3 of the Rules Governing Section 2254 Cases, the petition must be accompanied by:

- (1) the five dollar (\$5) filing fee; OR
- (2) a motion for leave to proceed *in forma pauperis*, the affidavit required by 28 U.S.C. § 1915, and a certificate from the warden or other appropriate officer of the place of confinement showing the amount of money or securities that the petitioner has in any account in the institution.

Petitioner has not submitted either the filing fee or the paperwork necessary to support a determination that he is entitled to proceed without paying the filing fee.

A copy of a blank application for leave to proceed *in forma pauperis* is being mailed to petitioner with this order. Petitioner should complete it and return it to the court on or before January 4, 2010. Alternatively, petitioner must submit the \$5 filing fee.

In addition, the handwritten petition is difficult to understand. It appears that petitioner is challenging a February 2006 conviction in the Circuit Court for Dane County. However, it is unclear from the petition precisely why petitioner thinks he is in custody in violation of the

laws or Constitution of the United States. Accordingly, a blank § 2254 form is being mailed to petitioner with this order. Petitioner should complete it and return it with his filing fee.

The court will take no further action on the petition until petitioner: 1) returns a completed application for leave to proceed *in forma pauperis* or submits the filing fee; and 2) submits a new, legible petition on the form provided. If petitioner fails to make these submissions on or before January 4, 2010, the court will dismiss the petition for failure to prosecute.

Entered this 3rd day of December, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge